

1 O'Neill

2 in other words. So I said, Okay. Fine. I went
3 back and told them, No, there's no plea.

4 Then I'm not sure what happened after
5 that, but I was not involved in any other
6 discussions. And I didn't offer Mickey any
7 plea, I wouldn't. And after a while the jury
8 came back and he was acquitted -- I mean, he was
9 convicted.

10 Q. So to your knowledge?

11 A. But I've seen what Mickey says, and I
12 don't agree with that.

13 Q. To your knowledge, no plea was offered
14 by the Dutchess County District Attorney's
15 Office to Mr. Bozella?

16 A. Not by me or not in my presence. And
17 if the plea was offered, like Mickey says it
18 was, with time served you walk out the door, I
19 don't know why he didn't take it, because he
20 would have had time to take it before the
21 verdict came in. So that's stupid, that doesn't
22 make any sense.

23 Q. Did you see that Mr. Whitesell
24 testified that he believed that a plea was
25 offered?

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2 A. I don't know what Whitesell believed,
3 but Whitesell was -- he was nothing. He just
4 was -- I don't know what he was at that time,
5 but he wasn't involved in the Crapser trial. He
6 wasn't involved -- I saw him say that he was
7 present or something, but I don't know what his
8 recollection is, I don't know what Grady's is,
9 you'd have to ask him, but that's fine.

10 Q. Do you think Mr. Whitesell lied under
11 oath?

12 MR. MICHAEL BURKE: Objection.

13 A. No, I don't think he said anything.
14 What did he say? He said he was present when
15 there was a discussion about a plea, well, I'm
16 telling you I did have a discussion about a plea
17 with Grady, but my recollection is, he said,
18 It's your call. And I said fine because I
19 wouldn't go forward in any event. So I never
20 offered Mickey Stiman a plea while the jury was
21 out.

22 Q. Have you ever heard of a Serrano
23 Alford plea?

24 A. Sure.

25 Q. What is that?